U-17-8509/FAC-2A1 (FOIA)   February 1, 2017

Mr. Benjamin Good
American Civil Liberties Union Foundation
125 Broad Street, 18ᵗʰ FL
New York, NY 10004-2400

Dear Mr. Good:

This letter is the Defense Intelligence Agency's (DIA) first interim response to your Freedom of Information Act (FOIA) request for information related to prepublication review. As you are aware, your request is currently the subject of litigation in the United States District Court for the District of Columbia in civil action number 16-CV-01256.

A search of DIA's systems of records located six documents (107 pages) responsive to your request. With this interim response, DIA has concluded the processing and release of five of these documents.

Upon review, it has been determined that two small redactions must be applied to protect certain information contained within two pages of one document (10 pages) released to you. The withheld information is exempt from release pursuant to Exemption 3 of the FOIA, 5 U.S.C. § 552 (b)(3), which applies to information specifically exempted by a statute establishing particular criteria for withholding. The applicable statute is 10 U.S.C. § 424, which protects the identity of DIA employees, the organizational structure of the agency, and any function of DIA.

I have also determined that four documents (24 pages) may be released in full.

Please be advised that DIA is still processing the remaining 73-page document. Although our original processing schedule advised that we would conclude all processing by February 3, 2017, DIA has encountered some complexity in processing this 73-page list of all documents reviewed for pre-publication release between 2009 and 2016. The list contains approximately 4,000 individual titles. We continue to work towards the release of this document, and will make a final response by March 6, 2017.

Sincerely,

Alesia Y. Williams ᴀᴍ
Chief, FOIA and Declassification Services Office

5 Enclosures